

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

JOHNNY M. STAFFORD,

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Plaintiff,

v.

CIVIL ACTION No. 6:08cv124

CONOCO, INC., et al.,

Defendants.

**ORDER ADOPTING REPORT AND RECOMMENDATION  
OF UNITED STATES MAGISTRATE JUDGE**

The above entitled and numbered civil action was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636. The Report and Recommendation of the Magistrate Judge (Doc. No. 35), which contains the Magistrate Judge's proposed findings of fact and recommendations for the disposition of Defendant Conoco Inc.'s Motion to Dismiss for Lack of Subject Matter Jurisdiction (Doc. No. 23), has been presented for consideration. Plaintiff Johnny Stafford filed objections to the Magistrate Judge's Report and Recommendation. (Doc. No. 41). Upon review, the Court finds that Plaintiff's objections have no merit and are therefore overruled. Having carefully considered the parties' arguments, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court adopts the Report and Recommendation of the United States Magistrate Judge as the findings of this Court.

Accordingly, it is hereby **ORDERED** that Defendant Conoco Inc.'s Motion to Dismiss for Lack of Subject Matter Jurisdiction (Doc. No. 23) be **GRANTED**.

SIGNED this 30th day of July, 2009.

  
MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE

